

United States District Court
for
Middle District of Tennessee
Report on Offender Under Supervision

Name of Offender: Kevin Thomas

Case Number: 3:06-00065-01

Name of Sentencing Judicial Officer: Honorable William J. Haynes, Jr., Chief U.S. District Judge

Date of Original Sentence: June 26, 2006

Original Offense: 18 U.S.C. § 924(c): Possession of a Firearm in Furtherance of a Drug Trafficking Crime

Original Sentence: 60 months' custody followed by 5 years' Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: October 5, 2012

Assistant U.S. Attorney: Sunny A.M. Koshy

Defense Attorney: Hershell D. Koger

THE COURT ORDERS:

- ☒ No Action *as recommended*
☐ Submit a Petition for Summons
☐ Submit a Petition for Warrant
☐ Other

Considered this 18th day of February, 2014, and made a part of the records in the above case.

William J. Haynes, Jr.
Honorable William J. Haynes, Jr.
Chief U. S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.
Respectfully submitted,

Lisa A. Capps
Lisa A. Capps
Sr. U.S. Probation Officer

Place: Columbia, Tennessee

Date: February 12, 2014

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

1. Shall not purchase, possess, use, distribute, or administer any controlled substance:

On January 16, 2014, and February 12, 2014, Mr. Thomas tested presumptively positive for marijuana. Regarding the positive in January, he admitted to using marijuana after his release from Diersen Charities and prior to the drug screen taken on January 16, 2014. The sample was sent to Alere Laboratories, Gretna, Louisiana, and was confirmed positive for marijuana. As for the most recent positive, he admitted using marijuana on February 11, 2014. The sample has been sent to Alere Laboratories for confirmation.

Upon his release, the Bureau of Prisons did not recommend drug testing or substance abuse treatment. However, as a result of the recent positive urine screen, the presumptive positive urine screen, and the citation for simple possession (noted below), this officer believes urine testing and treatment are needed. Defense counsel has been advised, and this officer is awaiting a response regarding an Agreed Motion requesting the Court for a modification of the conditions of release.

2. Shall not commit another federal, state, or local crime:

On January 16, 2014, Mr. Thomas was stopped by the LaVergne Police Department, LaVergne, Tennessee, on a traffic stop and was cited for simple possession of marijuana. According to the citation, the officer stopped Mr. Thomas for a seatbelt violation and detected an odor of marijuana coming from the vehicle. Mr. Thomas gave the officer half of a marijuana "blunt." Mr. Thomas advised this officer that he had been stopped, and the officer found a "roach" in the ashtray. Mr. Thomas reported that the "roach" did not belong to him, and he assumed it belonged to his younger brother who also uses the vehicle. Mr. Thomas has a court date scheduled for March 3, 2014, in Rutherford County General Sessions Court, Warrant No. 353597.

Compliance with Supervision Conditions and Prior Interventions:

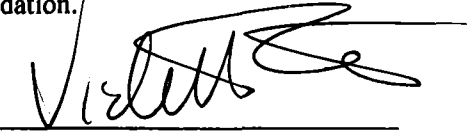
Mr. Thomas is a resident of Rutherford County, Tennessee, and has been under the federal supervision of the U.S. Probation Office since January 7, 2014. He is currently employed with United Record Pressing, Nashville, Tennessee, and resides in LaVergne, Tennessee, with his mother. The probation officer completes frequent surprise home visits at the offender's residence.

U.S. Probation Officer Recommendation:

At this time, the probation officer is requesting no action be taken by the Court, as it is anticipated that the parties will submit an Agreed Motion to the Court for a modification of the release conditions, to add a drug testing and treatment condition, which will allow Mr. Thomas the opportunity to participate in substance abuse treatment. It is recommended that Mr. Thomas continue on supervised release and undergo increased monitoring by the probation officer. Any additional violations will be reported to the Court in a timely manner.

The U. S. Attorney's Office has been advised of the offender's noncompliance and concurs with the recommendation.

Approved: _____

A handwritten signature in black ink, appearing to read 'Vidette Putman', written over a horizontal line.

Vidette Putman
Supervisory U.S. Probation Officer